

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION CORPORATION, Plaintiff, v. BERNARD L. MADOFF INVESTMENT SECURITIES LLC, Defendants.	12 Misc. 00115 (JSR)
In re MADOFF SECURITIES	
PERTAINS TO THE FOLLOWING CASES:	
IRVING H. PICARD, Plaintiff, v. FITERMAN INVESTMENT FUND, <i>et al.</i> , Defendants.	11 Civ. 08984 (JSR)
IRVING H. PICARD, Plaintiff, v. HESS KLINE REV. TRUST, <i>et al.</i> , Defendants.	11 Civ. 08986 (JSR)

IRVING H. PICARD, Plaintiff, v. METRO MOTOR IMPORTS, INC., Defendant.	11 Civ. 08987 (JSR)
IRVING H. PICARD, Plaintiff, v. MILES Q. FITERMAN REVOCABLE TRUST, <i>et al.</i> , Defendants.	11 Civ. 08988 (JSR)
IRVING H. PICARD, Plaintiff, v. MILES & SHIRLEY FITERMAN CHARITABLE FOUNDATION, <i>et al.</i> , Defendants.	11 Civ. 08989 (JSR)

**DECLARATION OF OREN J. WARSHAVSKY, PURSUANT TO 28 U.S.C. § 1746,
IN SUPPORT OF TRUSTEE'S MEMORANDUM OF LAW IN OPPOSITION
TO DEFENDANTS' MOTIONS TO WITHDRAW THE REFERENCE**

Pursuant to 28 U.S.C. § 1746, OREN J. WARSHAVSKY hereby declares as follows:

I am a partner at the firm of Baker & Hostetler LLP, counsel for Plaintiff Irving H. Picard (the "Trustee") for the substantively consolidated liquidation proceeding of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa *et seq.*, and the estate of Bernard L. Madoff. As an attorney of record, I am fully familiar with this case and the facts set forth herein. I respectfully submit this Declaration to place before this

Court true and correct copies of certain documents relevant to the Trustee's memorandum of law in opposition to the defendants' Motions to Withdraw the Reference filed in the following actions: *Picard v. Fiterman Investment Fund, et al.*, Adv. Pro. No. 10-04354 (Bankr. S.D.N.Y.) (BRL), No. 11 Civ. 08984 (JSR) (S.D.N.Y.) (ECF No. 1); *Picard v. Hess Klein Revocable Trust, et al.*, Adv. Pro. No. 10-04719 (Bankr. S.D.N.Y.) (BRL), No. 11 Civ. 08986 (JSR) (S.D.N.Y.) (ECF No. 1); *Picard v. Metro Motor Imports, Inc.*, Adv. Pro. No. 10-04499 (Bankr. S.D.N.Y.) (BRL), No. 11 Civ. 08987 (JSR) (S.D.N.Y.) (ECF No. 1); *Picard v. Miles Q. Fiterman Revocable Trust, et al.*, Adv. Pro. No. 10-04337 (Bankr. S.D.N.Y.) (BRL), No. 11 Civ. 08988 (JSR) (S.D.N.Y.) (ECF No. 1); *Picard v. Miles & Shirley Fiterman Charitable Foundation, et al.*, Adv. Pro. No. 10-05067 (Bankr. S.D.N.Y.) (BRL), No. 11 Civ. 08989 (JSR) (S.D.N.Y.) (ECF No. 1). These actions were consolidated pursuant to this Court's Order dated March 7, 2012.

1. Attached hereto as Exhibit 1 are true and correct copies of the complaints filed by the Trustee against the defendants in the above-captioned actions.

2. Attached hereto as Exhibit 2 are true and correct copies of the customer claims (without exhibits) submitted by the defendants in the above-captioned actions.

I declare under penalty of perjury that the foregoing is true and correct. Executed on May 8, 2012.

/s/ Oren J. Warshavsky
Oren J. Warshavsky